

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 5472
OFFERED BY MR. BARTON OF TEXAS

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “National Breast and
3 Cervical Cancer Early Detection Program Reauthorization
4 Act of 2006”.

5 **SEC. 2. NATIONAL BREAST AND CERVICAL CANCER EARLY**
6 **DETECTION PROGRAM.**

7 Title XV of the Public Health Service Act (42 U.S.C.
8 300k et seq.) is amended—

9 (1) in section 1501(d)—

10 (A) in the heading, by striking “2000” and
11 inserting “2020”; and

12 (B) by striking “by the year 2000” and in-
13 serting “by the year 2020”;

14 (2) in section 1503, by adding at the end the
15 following:

16 “(d) **WAIVER OF SERVICES REQUIREMENT ON DIVI-**
17 **SION OF FUNDS.—**

1 “(1) IN GENERAL.—The Secretary may waive
2 the requirements of paragraphs (1) and (4) of sub-
3 section (a) if the Secretary finds that—

4 “(A)(i) the State involved will use the
5 waiver to leverage private funds to supplement
6 each of the services or activities described in
7 paragraphs (1) and (2) of section 1501(a); or

8 “(ii) the application of such requirements
9 would result in a barrier to the participation of
10 qualifying women in the services or activities
11 described in paragraphs (1) and (2) of section
12 1501(a);

13 “(B) granting such a waiver to the State
14 will not reduce the number of women in the
15 State who receive any of the services or activi-
16 ties described in paragraphs (1) and (2) of sec-
17 tion 1501(a), including screening procedures for
18 both breast and cervical cancers; and

19 “(C) granting such a waiver to the State
20 will not adversely affect the quality of any of
21 the services or activities described in para-
22 graphs (1) and (2) of section 1501(a).

23 “(2) DURATION OF WAIVER.—

24 “(A) IN GENERAL.—In granting waivers
25 under paragraph (1), the Secretary—

1 “(i) shall grant such waivers for a pe-
2 riod of 2 years; and

3 “(ii) upon request of a State, may ex-
4 tend a waiver for additional 2-year periods
5 in accordance with subparagraph (B).

6 “(B) ADDITIONAL PERIODS.—The Sec-
7 retary, upon the request of a State that has re-
8 ceived a waiver under paragraph (1), shall, at
9 the end of each 2-year waiver period described
10 in subparagraph (A), review performance under
11 the waiver and may extend the waiver for an
12 additional 2-year period if the Secretary finds
13 that—

14 “(i)(I) the State involved will use the
15 waiver to leverage private funds to supple-
16 ment each of the services or activities de-
17 scribed in paragraphs (1) and (2) of sec-
18 tion 1501(a); or

19 “(II) without an extension of the
20 waiver, the application of the requirements
21 of paragraphs (1) and (4) of subsection (a)
22 would result in a barrier to the participa-
23 tion of qualifying women in the services or
24 activities described in paragraphs (1) and
25 (2) of section 1501(a);

1 “(ii) the waiver has not reduced, and
2 granting the waiver extension will not re-
3 duce, the number of women in the State
4 who receive any of the services or activities
5 described in paragraphs (1) and (2) of sec-
6 tion 1501(a); and

7 “(iii) the waiver has not adversely af-
8 fected, and granting the waiver extension
9 will not adversely affect, the quality in the
10 State of any of the services or activities de-
11 scribed in paragraphs (1) and (2) of sec-
12 tion 1501(a).

13 “(3) REPORTING REQUIREMENTS.—The Sec-
14 retary shall include as part of the evaluations and
15 reports required under section 1508, the following:

16 “(A) A description of the total amount of
17 dollars leveraged annually from private entities
18 in States receiving a waiver under this sub-
19 section and how these amounts were used.

20 “(B) With respect to States receiving a
21 waiver under this subsection, a description of—

22 “(i) the percentage of the grant that
23 is expended on services or activities de-
24 scribed in paragraphs (1) and (2) of sec-
25 tion 1501(a); and

1 “(ii) the percentage of the grant that
2 is expended on services or activities de-
3 scribed in paragraphs (3) through (6) of
4 section 1501(a).

5 “(C) A description of the number of States
6 receiving waivers under this subsection annu-
7 ally.

8 “(D) With respect to States receiving a
9 waiver under this subsection, a description of
10 the number of women receiving services under
11 paragraphs (1), (2), and (3) of section 1501(a)
12 in programs before and after the granting of
13 such waiver.”;

14 (3) in section 1504(a), by striking “pursuant to
15 paragraphs (1) and (2) of section 1501(a)” and in-
16 serting “pursuant to paragraphs (1), (2), and (3) of
17 section 1501(a)”;

18 (4) in section 1510(a)—

19 (A) by striking “and” after “\$150,000,000
20 for fiscal year 1994,”; and

21 (B) by inserting “, and \$250,000,000 for
22 each of fiscals year 2007 through 2011” before
23 the period at the end.

Amend the title so as to read: “A bill to amend the Public Health Service Act to reauthorize the National Breast and Cervical Cancer Early Detection Program, and for other purposes.”.